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11 UNITED STATES DISTRICT COURT  
12 DISTRICT OF NEVADA

13 OHIO SECURITY INSURANCE  
14 COMPANY, PEERLESS INDEMNITY  
15 INSURANCE COMPANY, and THE  
16 OHIO CASUALTY INSURANCE  
17 COMPANY,

Plaintiffs,

v.

MILWAUKEE INSTRUMENTS, INC.,

Defendant.

Case No. 2:23-cv-01363-JCM-BNW

**STIPULATION AND ORDER TO  
STAY**

20 Plaintiffs Ohio Security Insurance Company, Peerless Indemnity Insurance  
21 Company, and The Ohio Casualty Insurance Company (“Plaintiffs”) and Defendant  
22 Milwaukee Instruments, Inc. (“Defendant”) (collectively with Plaintiffs, the  
23

1 “Parties”) stipulate as follows:

2 1. On November 17, 2023, Defendant filed a Motion to Dismiss or,  
3 Alternatively, to Stay the Case (ECF 6).

4 2. On January 16, 2024, Defendant filed a Motion to Stay Case or  
5 Discovery (ECF 22),

6 3. On January 25, 2024, the Court entered a Minute Order staying the  
7 deadlines for discovery (ECF 25).

8 4. On March 12, 2024, Plaintiffs filed a Motion for Partial Summary  
9 Judgment (ECF 29).

10 5. The Court set a Motion Hearing for April 30, 2024 on Defendant’s  
11 Motion to Stay Discovery (ECF 22), which seeks a stay of discovery pending  
12 resolution of the Motion to Dismiss or, Alternatively, to Stay the Case (ECF 6).

13 6. The Parties agree to a stay of discovery until the Defendant’s Motion to  
14 Dismiss or, Alternatively, to Stay the Case (ECF 6) and Plaintiffs’ Motion for  
15 Partial Summary Judgment (ECF 29) are resolved, at which time the parties and  
16 the Court may revisit whether a further stay is appropriate.

17 7. This stipulation alleviates the need for a decision on the Defendant’s  
18 Motion to Stay Discovery (ECF 22) at this time.

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8. The Parties respectfully request that this Court issue an Order implementing this stipulation, under its inherent authority to manage its docket.

So stipulated and respectfully submitted this 29<sup>th</sup> day of April, 2024.

By: /s/Daniel Heidtke

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**IT IS FURTHER ORDERED** that  
the hearing presently  
scheduled for 4/30/2024 is  
**VACATED.**

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**IT IS SO ORDERED:**

  
UNITED STATES MAGISTRATE JUDGE

Dated: 4/29/2024